WEST VIRGINIA NATIONAL GUARD

SEXUAL ASSAULT PREVENTION AND RESPONSE PROGRAM

Supervisor's Training

SEXUAL ASSAULT RESPONSE COORDINATO

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Refrences

a. DoD Directive 6495.01, dated 07 November 2008.

b. DoD Instruction 6495.02, dated 13 November 2008.

c. AR 600-20, Chapter 8, dated 11 February 2009.

d. AFI 36-6001, dated 30 September 2009.

Overview

- **Program Background**
- **Prevention**
  - DoD Definition of Sexual Assault
  - WVNG Sexual Assault Policy
  - Sexual Assault vs Sexual Harassment
- **Response**
  - Reporting Options
  - Leader Responsibilities
  - Response
- **Summary**
  - Points of Contact

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PROGRAM BACKGROUND

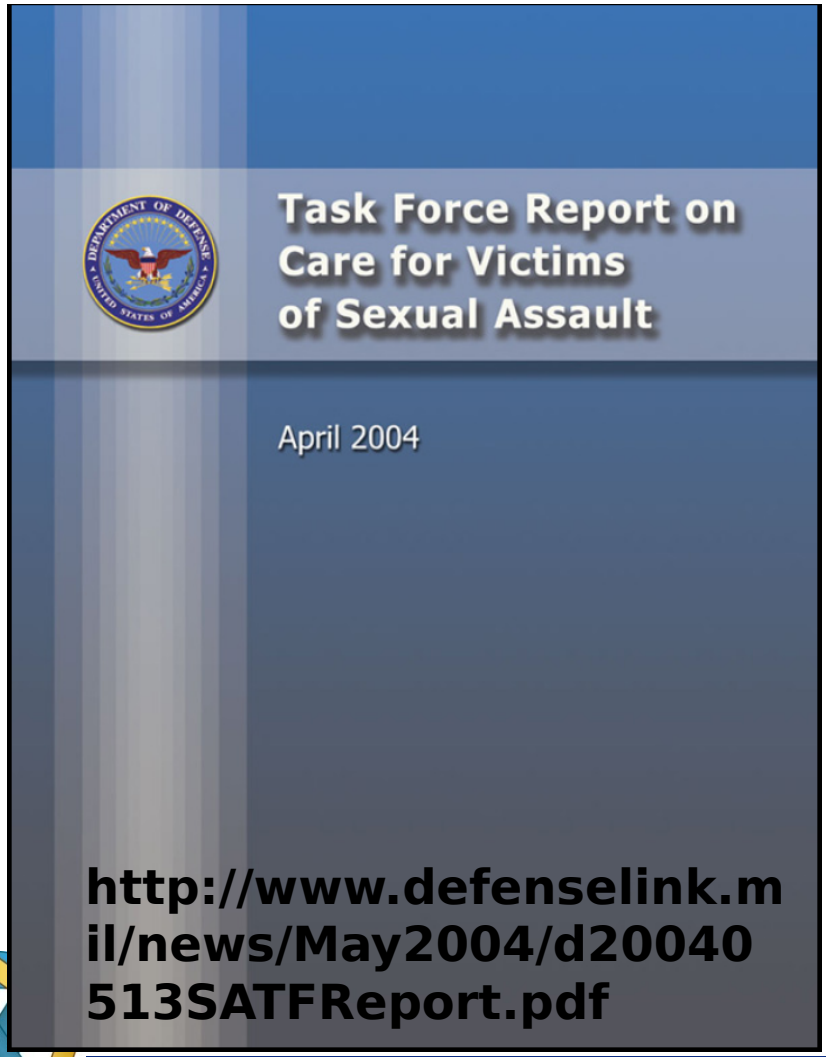
History

1991 – Navy Tailhook Scandal

ARMY SEX SCANDAL
VERDICT
APRIL 29, 1997
-Online News Hour

On today's Oprah at 4 p.m. -- there are now 142 reports of assault from cadets at the Air Force Academy.
- 08Dec2003

Background



- 2004: DoD Task Force on Care for Victims of Sexual Assault

DoD Guidelines

- Provides a clear Department-wide definition of Sexual assault
- Provides the foundation for all training programs
- Establishes the following baselines:
  - Immediate response capability in all locations to ensure access to appropriate victim services
  - Designation of responsibilities of SARC and VA, and adoption of guidelines for rapid response, including identification of first responders, requisite training, and the manner for conducting case management.
  - The position of the SARC and the conduct of case management will ensure system accountability and victim access to quality services.
- Establishes a baseline for Services to build on to ensure the same level of response on all locations, including deployed locations.

Regulations

- Army

  AR 600-20, Rapid Action Revision, dated 11Feb09 – Army Command Policy

  Chapter 8,– Sexual Assault Prevention and Response Program

- Air Force

  AFI 36-6001, dated 20Sep09 - Sexual Assault Prevention and Response (SAPR) Program

WV SAPR Program

- SARC –
  - Designated program manager of victim support services, coordinates and oversees state implementation and execution of the SAPR Program
  - Trains and monitors VAs
  - Assists Leaders in training
  - Develops State Policy

- Wing SARC –
  - Additional Duty for the Wing Executive Officer
  - Designated SAPR Program Manager for their perspective wing
  - Trains and monitors VAs
  - Assists the CDR with policy and procedures

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WV SAPR Program

- Victim Advocate –
  - Facilitates care for victims of sexual assault under the SAPR Program
  - Who, on behalf of the sexual assault victim, provides liaison assistance with other organizations and agencies on victim care matters
  - Provides annual sexual assault prevention training for their unit

Sexual Assault Defined

DOD Definition:

Sexual assault (SA) is a **crime** defined as **intentional sexual contact**, characterized by **use of force, physical threat or abuse of authority** or when the **victim does not or cannot consent.** Sexual assault includes rape, nonconsensual sodomy (oral or anal sex), indecent assault (unwanted, inappropriate sexual contact or fondling), or **attempts** to commit these acts. Sexual assault can occur without regard to gender, spousal relationship or age of the victim.

What is Sexual Assault?

Sexual Assault Defined

- Rape – forcing somebody to have sexual intercourse
- Sodomy – oral or anal sex
- Indecent Assault – unwanted, inappropriate sexual contact or fondling
- Attempts to Commit These Acts

CONSENT

"Consent" will not be deemed or construed to mean the failure by the victim to offer physical resistance. **Consent is not given when a person uses force, threat of force, or coercion or when the victim is asleep, incapacitated, or unconscious.**

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WVNG Policy

Sexual assault is a criminal offense that has no place in the West Virginia National Guard. It degrades mission readiness by devastating the WVNG's ability to work effectively as a team. Every Soldier and Airman who is aware of a sexual assault should immediately (within 24 hours) report incidents. Sexual assault is incompatible with the Army Values and Air Force Tenants and is punishable under the UCMJ and other Federal, state and local laws.

The West Virginia National Guard will –

- Use training, education, and awareness to minimize sexual assault
- Promote the sensitive handling of victims of sexual assault
- Offer victim assistance and counseling
- Hold those who commit sexual assault offenses accountable
- Provide confidential avenues for reporting
- Reinforce a commitment to the Army Values and Air Force Core Values.

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High Risk Factors

- AGE

- ALCOHOL

- Over 80% of Victims are Under 30
- TIME

Over 65% of Assaults Occur between 800 – 0600 hours

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Assault vs Harassment

Sexual Harassment is a form of gender discrimination that involves one or more Of the following:

- Unwelcome sexual advances
- Requests for sexual favors
- Verbal or physical conduct of a sexual nature

Sexual Assault is a **crime** defined as **intentional sexual contact**, characterized by use of force, physical threat or abuse of authority or when the victim does not or cannot consent

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Assault vs Harassment

Is this Sexual Assault or Sexual Harassment?

ASSAULT

HARASSMENT

ASSAULT

PREVENTION

SUPERVISOR RESPONSIBILITIES

ARMY

- Establish a command climate of zero tolerance of sexual assault and mutual respect and trust of all Soldiers
- Ensure subordinates are trained on sexual assault
- Ensure subordinates are aware of risk factors associated with SA
- Report conversations about or evidence of –
  - Committing sexual assault or planning to commit
  - Getting someone drunk or stoned to make it easier to force them into sex
  - Describing or bragging about physically forcing someone into sex
  - Describing or bragging about a partner not wanting to have sex but did so anyway
  - Using the date-rape drug
- Report any knowledge of any sexual assault
- Investigate all allegations of sexual assault
- Properly display SA information in the work area

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- Establish a command climate of prevention that is predicated on mutual respect and trust, that recognizes and embraces diversity, and that values the contributions of all its members.
- Emphasize that sexual assault violates the core values of what being a professional in the Armed Forces is all about and is something that ultimately destroys unit cohesion and the trust that is essential for mission success.
- Emphasize DoD and Military Service policies on sexual assault and the potential legal consequences for those who commit such crimes.
- Keep a “finger on the pulse” of the organization’s climate and respond with appropriate action toward any negative trends that may emerge.

RESPONSE

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Restricted Reporting

- A individual who is sexually assaulted and desires medical care, counseling and victim advocacy, **without initiating** the investigative process should use the restrictive reporting option.

- Restricted reporting is intended to give victims additional time and increased control over the release and management of their personal information, and to empower them to seek relevant information and support to make more informed d ng in the criminal investigation.

SARC

VA

CHAPLAIN

HEALTH CARE PROVIDER

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Unrestricted Reporting

- A Soldier who is sexually assaulted and desires medical treatment, counseling and **an official investigation** of his/her allegation should use current reporting channels, for example, chain of command, law enforcement or report the incident to the SARC.

- Details regarding the incident will be limited to only those personnel who have a legitimate need to know.

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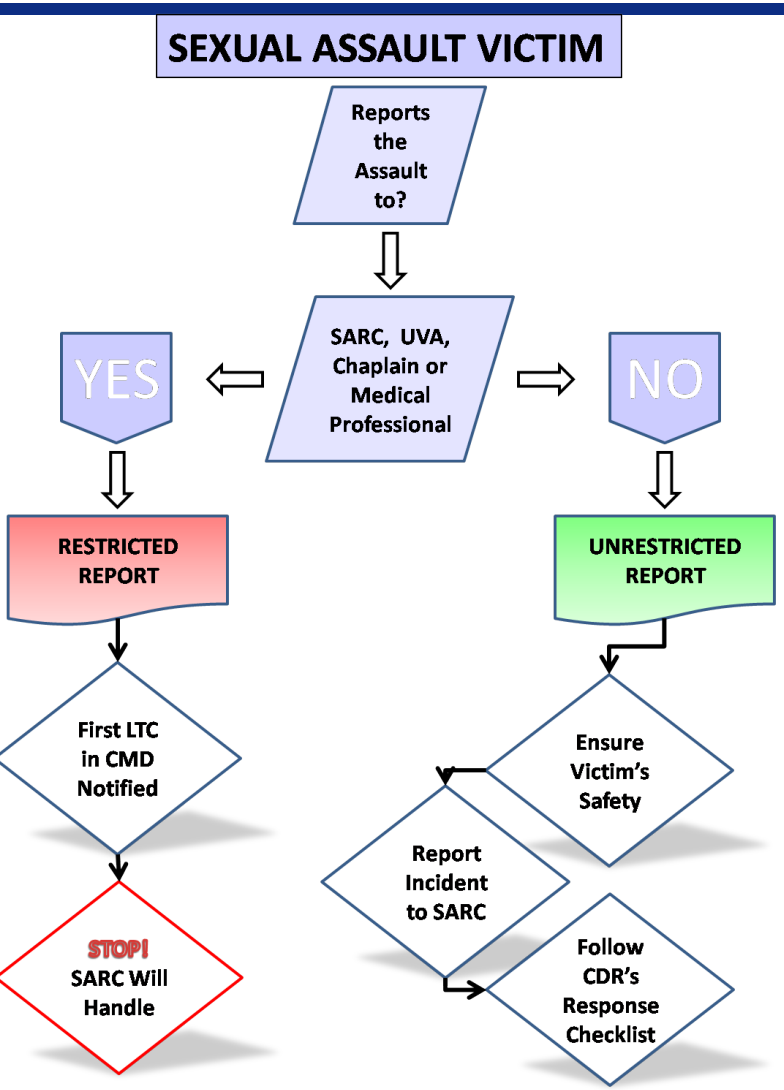
Reporting



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SUPERVISOR RESPONSIBILITIES

ARMY

Follow steps listed in the NGB Commander's Sexual Assault Victim Assistance Checklist for Unrestricted Reports

- Ensure the physical safety of the victim
- Make appropriate coordination
- Notify authorities
- Report incident through the chain of command and to the SARC within 24 hours
- Confer with the SJA about appropriate disposition of the alleged offender, if in the same unit
- Inform the victim of community resources
- Provide the victim with updates of the case every 30 days until it is closed by the SARC

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Follow steps listed in AFI 36-6001 Attachment 2 - COMMANDER'S CHECKLIST FOR UNRESTRICTED REPORTS OF SEXUAL ASSAULT

VICTIM'S COMMANDER

- Ensure the physical safety of the victim--determine if the alleged assailant is still nearby and if the victim desires or needs protection.
- Determine if the victim desires or needs any emergency medical care.
- Ensure the SARC is notified immediately.
- Notify the Military Criminal Investigation Organization (MCIO) concerned, as soon as the victim's immediate safety is assured, and medical treatment procedures elected by the victim are initiated.
- To the extent practicable, strictly limit knowledge of the facts or details regarding the incident to only those personnel who have an official need to know.
- Collect only the necessary information (e.g., victim's identity, location, and time of the incident, name and/or description of assailant(s)). DO NOT ASK DETAILED QUESTIONS AND/OR PRESSURE THE VICTIM FOR RESPONSES OR INFORMATION ABOUT THE INCIDENT.
- If needed, assist with or provide immediate transportation for the victim to the hospital or other appropriate medical treatment facility.
- Throughout the investigation, consult with the victim, and listen/engage in quiet support, as needed, and provide the victim appropriate emotional support resources. To the extent practicable, accommodate the victim's desires regarding safety, health, and security, as long as neither a critical mission nor a full and complete investigation is compromised.

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UNIT COMMANDER OF VICTIM AND/OR ALLEGED ASSAILANT

- Ensure procedures are in place to inform the alleged assailant, as appropriate, about the investigative and legal processes that may be involved.
- Ensure procedures are in place to inform the alleged assailant about available counseling support. As appropriate, refer the alleged assailant to available counseling groups and other services.
- With the benefit of the SARC, VA, legal, and/or investigative advice, determine the need for a “nocontact” order, or the issuance of an MPO, DD Form 2873.
- Monitor the well-being of the alleged assailant, particularly for any indications of suicide ideation, and ensure appropriate intervention occurs if indicated.

Resource Guide

Sexual Assault Victim Services Resource Guide

- MEDCOM
- Local Police / State Police / Local Sheriff
- Chaplain’s Office
- Commander
- JAG
- Family Programs – MAJ Martin
- EO – Lt Col Hale
- SARC

Resources

- **WV Sexual Assault Response Coordinator: CPT Bridget Saunders**

(304) 561-6681
(304) 541-0573 – 24hr Cell
bridget.saunders@us.army.mil

- **WVNG Psychological Health Program: Mrs. Elizabeth Coffey**

304-561-6690
304-546-1026 – 24hr Cell
elizabeth.coffey@us.army.mil

- **WVNG Family Programs Office (24/7):**

(304) 561-6545
1-866-986-4326 – Toll Free

- **WVNG Chaplain's Office: LTC Bruce Reed**

(304) 561-6328 (304) 549-7939 – 24hr Cell
bruce.reed@wv.ngb.army.mil

- **Kanawha County REACH:**

(304) 340-3676

- **NGB Sexual Assault Prevention & Response Program:**

www.ngb.army.mil/staff/j1/sapr

- **DOD Sexual Assault Prevention Response:**

www.sapr.mil

- **Military One Source:**

www.militaryonesource.com
1-800-342-9647

- **TRICARE:**

www.tricare.mil
1-877-TRICARE (874-2273)

- **Rape, Abuse & Incest National Network (RAINN):**

www.rainn.org
1-800-656-HOPE(4673)

- **WVNG Staff Judge Advocate Office:**

304-561-6687

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